

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL BARRIER,

Plaintiff,

vs.

MICHELLE PRINCE *et al.*,

Defendants.

Case No.: 11-CV-05505 YGR

ORDER OF DISMISSAL FOR FAILURE TO  
PROSECUTE; AND GRANTING APPLICATION  
TO PROCEED *IN FORMA PAUPERIS*

On July 18, 2012, the Court dismissed Plaintiff's complaint with leave to amend by no later than September 4, 2012. The Court also set the matter for a September 7, 2012 compliance hearing to determine whether Plaintiff had filed an Amended Complaint. Plaintiff was warned that failure to file an Amended Complaint would result in dismissal of this action for failure to prosecute. Plaintiff did not file an Amended Complaint or attend the compliance hearing.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

Plaintiff's Motion for Leave to Appear *in Forma Pauperis* (Dkt. No. 2) is **GRANTED**.

**IT IS SO ORDERED.**

**Date: September 7, 2012**

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE